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TAGS: [KACT](#) [PARM](#) [START](#) [JCIC](#) [INF](#) [US](#) [RS](#) [UP](#) [BO](#) [KZ](#)

SUBJECT: JCIC-XXXIII: HEAD OF DELEGATION MEETING ON THE
EXTENSION OF THE START TREATY (ARTICLE XVII MEETING),
NOVEMBER 17, 2008 (U)

REF: A. STATE 112253 (JCIC-DIP-08-007)
[1](#)B. GENEVA XXXX (JCIC-XXXIII-014)

Classified By: Jerry A. Taylor, United States Representative
to the Joint Compliance and Inspection Commission.
Reasons: 1.5(b) and (d).

[1](#)1. (U) This is JCIC-XXXIII-013.

[1](#)2. (U) Meeting Date: November 17, 2008
Time: 3:45 P.M. - 5:15 P.M.
Place: U.S. Mission, Geneva

SUMMARY

[1](#)3. (S) A Heads of Delegation (HOD) Meeting was held at the U.S. Mission on November 17, 2008, to consider whether the START Treaty would be extended for a period of 5 years. The Parties agreed that there was no requirement for a decision at this meeting of the Parties, which was, as provided for in Paragraph 2 of Article XVII of the Treaty, held "...no later than one year before the expiration of the 15-year period," i.e., before December 5, 2009. All the Parties were present; Belarus, Russia, Ukraine and Kazakhstan lauded the role of START in promoting strategic stability and fulfilling Article VI provisions of the Nuclear Non-Proliferation Treaty (NPT) and encouraged continuation of work to maintain strategic stability after December 5, 2009, and to work toward a post-START agreement. Russia agreed with the U.S. position, based on Paragraph 2 of Article XVII of the START Treaty, that no decision on extension was required at this meeting; the other three Parties did not press this issue. Ukraine, concerned about continuation of START, introduced the possibility of "reconsideration" of its 1994 commitments in connection with START entry into force and other international obligations, including NPT, which elicited requests for clarification and push-back from both the U.S.

and Russian sides.

CONSENSUS-START IS A SUCCESS

14. (S) U.S. JCIC Representative Taylor welcomed the Delegations and offered that the purpose of the meeting today was to discuss the Article XVII requirement to discuss whether the START Treaty would be extended for a period of 5 years. Belarusian HOD Ugorich, Deputy Director of International Security Division of the Belarusian Ministry of Foreign Affairs (MFA), noted that not only has the START Treaty made a genuine contribution to arms control, with an actual reduction of more than 30 percent of strategic nuclear armaments, but has also created an atmosphere of strategic stability, confidence, trust and verification that has stood the test of time. He noted that through the Lisbon Protocol the Republic of Belarus renounced its right to nuclear weapons, a decision based on the continuation of nuclear disarmament, opining that it is important that a vacuum not be created after the expiration of START in December 2009. The Parties must take decisive steps either to extend the Treaty or work on a new treaty in order to guarantee the irreversibility of nuclear reductions and send a clear message to the international community with regard to strategic offensive arms. Ugorich cited the April 6, 2008, Sochi declaration of President Bush and then-President Putin, praising the bilateral commitment to work toward a legally binding post-START agreement. He urged a positive outcome, and as a consequence, early practical implementation of that declaration, adding that the new agreement should have effective verification. Ugorich expressed willingness for Belarus to participate actively in such work.

15. (S) The Head of the Kazakhstani Delegation, Permanent Representative of the Republic of Kazakhstan to International Organizations in Geneva, Amazhol Zhankuliyev, reconfirmed his country's position that this agreement on strategic offensive arms needs to be maintained and developed, and that it has provided stability. START is an important step towards nuclear disarmament and a tangible contribution to fulfillment of Article VI of the NPT; Zhankuliyev also welcomed the bilateral Sochi declaration on reducing weapons down to minimal levels and urged continued work on a legally-binding instrument to follow the START Treaty, noting that achieving this treaty would promote strategic stability.

ANTONOV CLAIMS AMATEUR STATUS IN JCIC

16. (S) While belaboring and excusing his status as a "novice" at JCIC meetings, Russian Head of Delegation, Director of the MFA's Department of International Security and Disarmament, Anatoliy Antonov, noted the constructive, pointed, and result-oriented discussions that are held among the Parties in order to find solutions. According to Antonov, history will judge the full value of the START Treaty, but even so, no one, not even the harshest critics such as the New Agenda Coalition during the NPT Review Conference (RevCon), doubted the important role it played in reducing strategic offensive arms. He noted that START achieved all of what we wanted to accomplish and served its purpose; all Parties have met their ceilings on schedule, having established a new atmosphere of trust among nuclear and non-nuclear treaty Parties. He said that it was important to note that none of the non-nuclear Parties ever violated any of its obligations, adding that "we" have obtained commitments that those Parties would maintain their non-nuclear status. He stressed that it is especially important that this result is not just based on Article VI of the NPT and that START strengthens basic elements of the nonproliferation regime. This was also particularly important as we deal with questions of whether the Treaty will expire in 2009 or will be extended for 5 years, and the RevCon in 2010. Antonov stated that Russia is committed to

preserving an atmosphere of continued transparency, mutual trust, and predictability, as outlined in the provisions of the START Treaty; Russia is thus interested in continuing nuclear disarmament even after START expiration, pursuant to NPT Article VI, and on that basis approached the United States 3 years ago with the offer to conclude a treaty to supersede START. He noted that we have engaged over time, admittedly with different approaches, and that while he saw nothing terrible in these differences in recent years, there was a presidential-level agreement on its status. He assumed that the Obama team would be interested in pursuing a new understanding. He acknowledged that Russia is in receipt of the U.S. draft text for a post-START agreement, as announced by Acting Under Secretary Rood, and that Russia had responded to the United States that it was studying it. Once Russia decided on its position, it would be prepared to meet with U.S. colleagues to continue discussions. He sought the views of Belarus, Ukraine and Kazakhstan.

Noting that this meeting was the first official exchange among START Parties to consider the fate of the Treaty, in accordance with Paragraph 2 of Article XVII, Antonov agreed that there is no need to take a position while observing that he generally agreed with the U.S. position expressed in the 2006 Rice-Lavrov Note Verbale (06State 78113) nor to make a decision today, and that there was still enough time. He also thanked the United States for being straightforward in stating its belief that no position needed to be taken during the meeting. Antonov opined that the comments of the Belarusian, Kazakhstani, and Ukrainian HOD revealed similar concerns, and on that basis, Russia is prepared to continue discussion in the context of informal events, away from any negotiating table, without reporting to capitals, and preferably over drinks. Such an approach, in his opinion, would promote greater understanding. Citing again his newcomer status, he realized that he may have breached formality while promoting an approach he considered conducive to resolving the concerns of all Parties at the table.

UKRAINE MIGHT "RECONSIDER" NPT COMMITMENT

17. (S) Ukrainian Acting HOD, Anatoliy Shevtsov, of the National Space Agency of Ukraine, noted that regardless of its outcome, the act of holding today's meeting fulfilled the requirements of Paragraph 2 of Article XVII of the Treaty. He elaborated the Ukrainian position as follows: 1) Ukraine had complied fully with its Treaty obligations and those of the January 14, 1994, Trilateral Statement of the Presidents of the United States of America, Ukraine and the Russian Federation; 2) the full elimination of solid rocket motors (SRMs) of disassembled SS-24 ICBMs was expected in 2011, and until that time, such items continued to be accountable under the Treaty; 3) Ukraine called for an extension of the Treaty as a guarantee of elimination of SRMs; 4) absent Treaty extension, or under conditions of termination/supersession, uncertainty would emerge in connection with the 1994 Trilateral Statement; and 5) Paragraphs 2-29 of Article V of the Treaty would still be valid in the future in any event. In summary, Shevtsov promoted extension of START for 5 years as the easiest means to attain these goals in a manner consistent with Ukrainian security requirements. If a new understanding or agreement were to be worked out, Ukraine would wish to contribute to its negotiation and implementation. If START were not to be continued, Ukraine would need reaffirmation of the December 1994 assurances from the nuclear weapon states in a legally-binding formulation, as these guarantees were required for Ukraine to agree to START and the Lisbon Protocol, and accede to the NPT as a non-nuclear weapon state. Shevtsov said that if its interests were not observed, Ukraine reserved the right to reconsider its position vis-a-vis the NPT.

U.S. POSITION, REACTION TO
UKRAINIAN NPT "RECONSIDERATION"

18. (S) Taylor thanked all the Parties for their comments and views, noting that they would be reported back to Washington.

Deploying U.S. points and the substance of the referenced Note Verbale (Ref A), he stated that the U.S. believed that the START Treaty should not be extended, although some provisions of the Treaty might be carried forward, emphasizing that its views would be guided in the future by the results of senior level discussions regarding this issue.

He noted that today's meeting was being held to fulfill the requirement of Paragraph 2 of Article XVII of the Treaty to meet prior to December 5, 2008, to "consider" whether the START Treaty will be extended for a period of 5 years. He also noted that there is no Treaty requirement for the Parties to make a decision to extend the START Treaty at this meeting, and they would be at liberty to discuss this issue at future JCIC sessions, and that a decision on this issue could be made up until the date of expiration of the Treaty on December 5, 2009.

19. (S) Turning to the comments of the Ukrainian Delegation, Taylor noted his grave concern over the possibility of Ukraine reconsidering NPT, citing its central role in nuclear security. The United States and Russia, as nuclear weapon states, continue to strive toward nuclear disarmament and take these responsibilities seriously; even to cite the possibility of reconsideration is frightening and should not be taken lightly. Further informal assessments of the statement of the Ukrainian position, and attempts to clarify it, were expressed at the reception at the Mission of the Russian Federation later that evening (Ref B).

RUSSIA ON UKRAINE'S POSSIBLE
"RECONSIDERATION" OF NPT

10. (S) In response to Taylor's deployment of points on the U.S. position, Russian Representative Antonov responded that naturally our political chiefs will take the correct position, but let's help them through the analysis and information that we will provide them. He stated that he understood the U.S. position and he knew which START provisions were to be carried forward. Turning to the Ukrainian statement, Antonov sought amplification, particularly regarding the possibility of uncertainty of the Budapest Memorandum of December 1994, if the Treaty were to cease to be in force, questioning the nature of such uncertainty. Would those be economic problems, issues of political independence? Shevtsov attempted to clarify the Ukrainian view that three simultaneous events were represented in the Budapest Memorandum, those being Ukraine submitting its instrument of ratification of START, its confirmation of the Lisbon Protocol as an integral part of the Treaty, and the Rada's decision to support accession to the NPT as a non-nuclear weapon state. The Rada, however, views the security assurances from the nuclear weapon states as pre-conditions for these actions, as set forth in the Trilateral Statement. Thus the question arises, what would be the future status of such assurances, would they be reconfirmed? According to Shevtsov, with regard to START extension, there is an internal debate as to whether Ukraine did the right thing-should we have acceded to NPT and signed START?

11. (S) Antonov responded that the security assurances question is a simple one-Ukraine is a non-nuclear weapon state Party to the NPT, with all rights and obligations stemming from the spirit and the letter of that international instrument. Ukraine received all positive and negative assurances from all NPT states Parties; with regard to the positive assurances, policy outlined in United Nations Security Council Resolution 984 still stands; it relates to Ukraine as well as to Belarus and Kazakhstan. On that basis, in Russia's view, there should be no problem with security assurances, nor any uncertainty with regard to the Budapest Memorandum. Antonov expressed his continued concern with the Ukrainian statement on reconsidering its status under NPT.

The NPT is a sacred cow of international security and should not be underestimated, noted Antonov (while hoping that as a "novice" he was not boring session participants), and no one has the right to undermine it. Antonov said that he proceeds from the understanding that Ukraine always complied with its Treaty obligations under the NPT, but that he would be concerned if Kyiv were even one one-thousandth of one percent serious about reconsideration of NPT status, especially given the current situation on nonproliferation issues with the DPRK, Iran and Syrian portfolios, noting that Russia was aware of U.S. concerns about Syria. Any signal of reconsideration would be serious, and whatever the fate of START, we must reconfirm our commitment to nonproliferation and the importance of the NPT, particularly among START parties.

SHEVTSOV: WHAT I MEANT TO SAY WAS...

¶12. (S) Shevtsov attempted to clarify yet again that Ukraine was not going to "reconsider" but just to examine the possibility of "exiting" from commitments, which would not affect NPT, noting that it had other obligations, such as the Lisbon Protocol and accompanying statements. (Begin Comment: Please see (Ref B) on the reception at the Russian Mission for elaboration on this issue. End comment.)

IMPROMPTU ANTONOV: NEWBIE HAS MORE IDEAS

¶13. (S) Changing the subject and identifying this as a "personal proposal," Antonov said that he wanted to "enliven" the discussion of a post-START instrument, proposing again to hold meetings "without notes, and with smiles" in a workshop or seminar mode with the concerns of all Parties to be aired in order that they be effectively conveyed to capitals. (Begin Comment: Perhaps due to his "novice" status in JCIC, Antonov did not seem to notice his internal contradiction of informing capitals without taking notes. End Comment.) He said that Belarus, Kazakhstan, and Ukraine might wish to know what the United States and Russia are doing bilaterally, and this might make it easier in our efforts to work on a new instrument. He posited that he might be fired for saying such things, as he was uncertain of what was happening at home while attending meetings in Geneva, but he did say that this was the position of his department. (Begin Comment: He did seem to be probing for an informal mechanism to apprise the three other Treaty partners of the course of any activity in bilateral post-START discussions, while not directly involving them. End Comment.)

¶14. (S) Representative Taylor thanked the Parties for their views at the session, and accepted Antonov's offer to attend the reception for all Delegations at the Russian Mission that evening, thus bringing the meeting to a close.

¶15. (U) Documents provided: None.

¶16. (U) Participants:

U.S.

Mr. Taylor
Ms. Bosco
Mr. Brown
Lt Col Comeau
Mr. DeNinno
Mr. Dunn
Maj Edinger
Mr. Fortier
Mr. Hanchett
Mr. Johnston

Mr. Kuehne
Mr. Miller
Mrs. Nash
CDR Rust
Mr. Smith
Mr. Vogel
Mr. Yaguchi
Ms. Gross (Int)

BELARUS

Mr. Ugorich
Mr. Ponomarev

KAZAKHSTAN

Mr. Zhankuliyev
Mr. Kasenov
Mr. Torekeldi
Col Akhmetalin

RUSSIA

Mr. Antonov
Mr. Koshelev
Mr. Kashirin
Mr. Bolotov
Mr. Artem'yev
Mr. Bolotov
Col Ryzhkov
Mr. Serov
Capt(1st Rank) Kuz'min
Maj Gen Nikishin
Col Novikov
Col Zaytsev
Ms. Sorokina
Mr. Cheykin (Int)

UKRAINE

Dr. Shevtsov
Mr. Bondarenko
Mr. Arguchinskiy
MGen Fedotov
Mr. Makhonin
Mr. Galushchenko

117. (U) Taylor sends.
TICHENOR

NNNN

End Cable Text